

**GOVERNMENT OF INDIA
FINANCE
LOK SABHA**

UNSTARRED QUESTION NO:2000

ANSWERED ON:01.12.2000

NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES AMENDMENT BILL

ASHOK NAMDEORAO MOHOL

Will the Minister of FINANCE be pleased to state:

- (a) whether the Government propose to pursue the Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 1998;
- (b) if so, whether recommendations of Standing Committee on Finance in regard to intensify action against drug traffickers are also likely to be incorporated in the Bill;
- (c) if so, the details thereof; and
- (d) the time by which the Bill is likely to be presented before the Parliament?

Answer

MINISTER OF STATE IN THE MINISTRY OF FINANCE

GINGEE N. RAMACHANDRAN

(a) Yes, Sir.

(b) Major recommendations of the Committee are incorporated in the Bill.

(c) The details of recommendations which have been accepted are annexed.

(d) The Bill was introduced in the Rajya Sabha on 9th July, 1998 and the proposed amendments have been passed by that House after discussion on 27.11.2000.

ANNEXURE LOK SABHA UNSTARRED QUESTION NO.2000

1. Inclusion of a proviso in sub-section 20(b)

(ii) (c) under clause 7 of the

Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 1998 to empower the Special Courts to impose a fine exceeding Rs.2 lakhs in the case of offences relating to cannabis in order to make this provision uniform with respect to similar provisions contained in Sections 15, 17 & 18 of the amending Bill.

2. Inclusion of all the eight circumstances whose presence should make an

offence more serious as mentioned in sub-clause 5 of Article 3 of the UN Convention on Illicit Traffic in Narcotic Drugs & Psychotropic Substances of 1988 instead of only five circumstances mentioned in the new section 32B proposed in the Amendment Bill, 1998.

3. Amendment of proviso to the new sub-section 36A(4) under clause 15 of the Amending Bill, 1998 by substituting the word 'may' for the word 'shall' so that Special Courts may have discretion to accept or reject any request for filing complaint beyond 180 days and within one year in relation to more serious offences mentioned in the Section.

4. To replace the words 'within a reasonable time' under the new sub-section 42(2) with the words 'within 72 hours' under clause 19 of the Amendment Bill, 1998, so as to make the provisions relating to search, seizure and arrest more specific.

5. To replace the words 'within a reasonable time' under the new sub-section 50(6) with the words 'within 72 hours' under clause 19 of the Amendment Bill, 1998 for the reasons stated in (4) above.